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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,264	11/18/2003	Stephen Figuerado	16356.838 (DC-05704)	6518
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HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100			CHERVINSKY, BORIS LEO	
DALLAS, TX 75202			ART UNIT	PAPER NUMBER
			2835	
			DATE MAILED: 01/04/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available used the provious of 3 CFR 1136(a). In no event, however, may a righty be timely filled Extensions of time may be available used the provious of 3 CFR 1136(a). In no event, however, may a righty be timely filled If the period for righty specified above is less than thirty (50) days, a right within the statutory minimum of thirty (50) days, with the considered timely. If the period for righty specified above is less than thirty (50) days, a right within the statutory minimum of thirty (50) MAINTON more than statutory priority belong your and wite legis (50) MAINTON more the mailing date of this communication. False to eight within the satisfactory belong the statutory priority and the second plane of the continuation of the communication. False to eight within the satisfactory and the satisfactory and the second plane of the communication. False to eight within the satisfactory and satisfactory and the satisfactory and satisfact		Application No.	Applicant(s)				
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Art Unit: 2835

DETAILED ACTION

Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1, 2, 4-7, 9-12, 14-16, 18-20, 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. in view of Huang et al.

Chang discloses a heat sink retention frame comprising: a plurality of spaced apart base members 50, 60 mounted on a board member 10 and the processor 20 mounted on the board member; each base member having a first connector portion 52 and a second connection portion 62, and a retention member 40 having a first end 41 movably connected to the first connector portion 52 of one of the base members and having a second end 42 extended into connection with the second connector portion 62 of another of the base members; the connector portions on each base member include a pivotal connection and a latch connection; the first end is pivotally connected and the second end is latched; the retention member 40 spans a space between two adjacent base members 50 and 60. Chang discloses the claimed invention except a plurality of interchangeable retention members. Huang discloses the plurality of the interchangeable retention members. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to have more than one retention members as disclosed by Huang to securely attaching the heat sink to the

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board member. Chang discloses the claimed invention except for variably sized retention members. It would have been an obvious matter of design choice to have retention members sized as to be correspondent to space between the base members, since such a modification would have involved a mere change in the size of a component. A change in size is generally recognized as being within the level of ordinary skill in the art. *In re Rose*, 105 USPQ 237 (CCPA 1955).

The method steps of claim 24 are necessitated by the device structure as disclosed by Chang et al. in view of Huang et al.

Allowable Subject Matter

3. Claims 3, 8, 13, 17, 21 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris L. Chervinsky whose telephone number is 571-272-2039. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2800 ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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BORIS CHÉRVINSKY PRIMARY EXAMINER

12/28/4